

RESPONSE TO RESTRICTION REQUIREMENT
U.S. Appln. No. 10/712,277

REMARKS


On page 2 of the Office Action, the Examiner requires that Applicant elects one of the following groups for prosecution on the merits:

- Group I - Claims 1-9, drawn to flexible ocular device;
- Group II - Claims 10-18, drawn to a method for treating glaucoma; or
- Group III - Claims 19-21, drawn to an ocular pressure spike shunt.

Applicant hereby elects the invention of Group I. In addition, upon allowance of one or more of the product claims of Group I, Applicant respectfully requests rejoinder of withdrawn process claims of the invention of Group II.

Applicant hereby cancels the claims directed to the invention of Group III, i.e., Claims 19-21, without prejudice to file a Divisional Application thereon.

Respectfully submitted,



Gordon Kit
Registration No. 30,764

SUGHRUE MION, PLLC

Telephone: (202) 293-7060

Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: November 17, 2005